

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

RENAUD BELHOMME,

Plaintiff,

vs.

No. CIV 05-0687 RB/RLP

**THE DOWNS OF ALBUQUERQUE, INC.,
ATLAS TEMPORARY SERVICE, INC.,
DAN COOK, General Manager,**

Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER came before the Court for consideration of Plaintiff's "Such Extraordinary Motion as in Continuation the Plaintiff's Alternative Motion Supplemented along with Such Grounds for a New Trial to Alter/Amend Judgment and Grant Relief Entitled from Judgment as a Matter of Law" (Doc. 45), filed on May 16, 2006. Judgment was entered in favor of Defendants on March 8, 2006.

A motion to reconsider filed more than ten days after judgment is governed by FED. R. CIV. P. 60(b). *See Van Skiver v. United States*, 952 F.2d 1241, 1243 (10th Cir. 1991). Relief under Rule 60(b) is extraordinary and may only be granted in exceptional circumstances. *Bud Brooks Trucking, Inc. v. Bill Hodges Trucking Co.*, 909 F.2d 1437, 1440 (10th Cir. 1990). To be entitled to Rule 60(b) relief, a party must establish one of Rule 60(b)'s six grounds for relief from judgment. *Id.* Plaintiff has not shown exceptional circumstances establishing any one of those six grounds for relief. Thus, Plaintiff's motion will be denied.

IT IS ORDERED.



**ROBERT C. BRACK
UNITED STATES DISTRICT JUDGE**